

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CAMERON RITCHIE
MILTON CRUZ and
WILSON GARCIA,

Plaintiffs,

v.

DEPUTY WARDEN KINNANE, et al,
Defendants.

C.A. No. 07-257 Erie

MEMORANDUM ORDER

Plaintiffs' civil rights complaint was received by the Clerk of Court on September 25, 2007, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on May 7, 2008, recommended that Plaintiffs Cruz and Garcia be dismissed from the instant civil rights action due to their failure to prosecute. The parties were allowed ten (10) days from the date of service to file objections. Service was made on all Plaintiffs by certified mail. No objections were filed. After de novo review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 9th day of June, 2008;

IT IS HEREBY ORDERED that Plaintiffs Cruz and Garcia are DISMISSED from this civil rights action due to their failure to prosecute this case. The Clerk of Courts is directed to terminate Cruz and Garcia from the docket..

The report and recommendation of Magistrate Judge Baxter, dated May 7, 2008, is adopted as the opinion of the court.


MAURICE B. COHILL, JR.
United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

all parties of record _____